

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

ENTERGY MISSISSIPPI, INC.

PLAINTIFF

VS.

CIVIL ACTION NO. 3:13-cv-879-HTW-LRA

**MARQUETTE TRANSPORTATION
COMPANY, LLC and
BLUEGRASS MARINE, LLC**

DEFENDANTS

UNOPPOSED MOTION TO APPROVE SUPERSEDEAS BOND

NOW INTO COURT, through undersigned counsel, comes defendants, Marquette Transportation Company, LLC and Bluegrass Marine, LLC, who respectfully request the Court to approve the filing of the supersedeas bond in this cause. In connection with this motion, Marquette and Bluegrass represent the following:

1. A Final Judgment was entered in the above-captioned case on September 29, 2017 (R. Doc. 187) in the United States District court for the Southern District of Mississippi, Northern Division against Appellants, Marquette Transportation Company, LLC and Bluegrass Marine, LLC in favor of Entergy Mississippi, Inc.

2. Marquette Transportation Company, LLC and Bluegrass Marine, LLC have filed a timely notice of appeal of this judgment to the United States Court of Appeal for the Fifth Circuit, and therefore desires to suspend enforcement of the judgment pending determination of the appeal.

3. A supersedeas bond has been obtained in the amount of \$2,735,264.45, a copy of which is attached hereto.

4. Opposing counsel has no objection to the filing of the supersedeas bond.

Wherefore, Marquette Transportation Company, LLC and Bluegrass Marine, LLC pray that this motion be granted, approving the filing of the supersedeas bond for Marquette Transportation Company, LLC and Bluegrass Marine, LLC.

Respectfully submitted, this 8th day of December, 2017.

SCIALDONE LAW FIRM, PLLC

/s/ John A. Scialdone

JOHN A. SCIALDONE (MS Bar No. 9524)

JOHN S. GARNER (MS Bar No. 102470)

1319 24th Avenue

Gulfport, Mississippi 39501

Telephone: (228) 822-9340

Facsimile: (228) 822-9343

Email: jscialdone@slfirmus.com

Email: jgarner@slfirmus.com

*Attorneys for Marquette Transportation Company, LLC
and Bluegrass Marine, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of December 2017, I electronically filed the foregoing with the Clerk of court by using the CM/ECF system, which will send a notice of electronic filing to all participating counsel of record.

/s/ John A. Scialdone